

MOTION BY SUPERVISORS GLORIA MOLINA  
AND DON KNABE

September 12, 2006

**AMENDMENT TO ITEM NO. 26**

For many years, the State Department of Health Services has contracted with the County's Environmental Health Division to inspect and register radiation producing machines and evaluate licensing applications for the use, handling, disposal and transportation of radioactive materials within the County. This is a State function for which the State receives fee-for-service revenues from the inspected entities.

This year, the State has invoked a provision of the State Code which enables the State to not reimburse contracted entities for salaries, benefits, or indirect costs which exceed "comparable costs" of the State department. The effect of this action will result in a net County cost of \$16,527 for FY 2006-07 with the potential of increasing to \$126,000 or more in future fiscal years.

The effect of the State's action is to create a mandated cost since it is impossible to return this program to the State without significant advance planning. Moreover, the Radiological Management Unit of Environmental Health, responsible for executing this

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contract, also plays a key role in our preparedness for radiologic accidents and terrorism. Because the nature of radiologic management has changed and become more complex, the radiation management staff is seeking reclassification of their positions which could also affect future County costs under this State contract.

WE, THEREFORE, MOVE that the Board of Supervisors:

- 1). Amend this item to delete authorization of the Director to execute forthcoming Standard Agreements and any amendments to these agreements for Fiscal Years 2007-08 through 2010-11; and
- 2) Instruct the Director of Public Health in collaboration with the Chief Administrative Officer and County Counsel, to negotiate with the State to fully reimburse the County for all costs of the contract, and if not, to return to the Board within 90 days with a recommendation regarding whether the County should continue this contract, taking into account the benefits of this program to the County; and
- 3) Instruct the Director of Public Health and the Chief Administrative Officer to review the classifications for the radiation management staff and report back to the Board on this issue within 90 days.